

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, May 9, 2017

9:00:01 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

AGENDA

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **APPROVAL OF AGENDA**
- D. **MINUTES of the meeting(s) of the Planning Commission**
 - 1. Regular Meeting of April 11, 2017
 - 2. Regular Meeting of April 25, 2017
- E. **RECEIPT OF ITEMS FOR THE RECORD**
- F. **HEARINGS AND PUBLIC COMMENT** (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
 - 1. **Continued Agency Hearing**
 - 2. **New Agency Hearing**
 - 3. **Continued Public Hearing**
 - 4. **New Public Hearing**
 - 5. **All remaining public testimony pursuant to HRS 92 (Sunshine Law)**

G. CONSENT CALENDAR

1. Status Reports

2. Director's Report(s) for Project(s) Scheduled for Agency Hearing on 5/23/17

- a. Class IV Zoning Permit Z-IV-2017-10, Use Permit U-2017-8 and Special Permit SP-2017-4 to allow development of a substance abuse treatment and healing center for adolescents, involving a parcel situated on the eastern side of Maalo Road in Kapaia, approx. 0.75 miles north of the Maalo Road/Kuhio Highway intersection, further identified as Tax Map Key (4) 3-8-018:012, and affecting a parcel approx. 5.825 acre in size = *County of Kauai, Office of the Mayor*.

1. Director's Report pertaining to this matter.

- b. Special Management Area Use Permit SMA(U)-2017-3, Class IV Zoning Permit Z-IV-2017-11, Use Permit U-2017-9 to allow additions to the existing Coral Reef Hotel that includes (4) hotel units, two (2) apartment-hotel units, and associated site improvements, and Variance Permit V-2017-4 to allow deviations from several requirements of the Kauai County Code (1987), including Section 8-13.1 relating to Nonconforming Buildings & Structures, Section 8-13.2 relating to Nonconforming Uses, Sections 8-9.2(a) & (b) relating to Open District Development Standards, for a parcel located on the makai side of Kuhio Highway in Kapaa Town, further identified as 4-1516 Kuhio Highway, Tax Map Key 4-5-011:046, and containing a total area of 0.592 acres = *Pixar Development, LLC*.

1. Director's Report pertaining to this matter

H. EXECUTIVE SESSION

1. Pursuant to Hawaii Revised Statutes Section 92-4 and Section 92-5 (a)(4), the purpose of this Executive Session is to discuss the County of Kauai Grievances and Complaints Policy for Department Heads that can be Removed by County Boards and Commissions. This consultation involves consideration of powers, duties, privileges, immunities, and/or liabilities of the Planning Commission as they may relate to this agenda item.

I. GENERAL BUSINESS MATTERS

J. COMMUNICATION (For Action)

K. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

L. UNFINISHED BUSINESS (For Action)

M. NEW BUSINESS

1. **For Action – See Agenda F for Project Descriptions**

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following regularly scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii 96766 on **Tuesday, May 23, 2017.**

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes (“H.R.S.”), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050.

KAUA‘I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING

Līhu‘e Civic Center, Mo‘ikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu‘e, Hawaii 96766

Tuesday, May 9, 2017, 8:30 A.M.

AGENDA

A. CALL TO ORDER

B. ROLL CALL

C. APPROVAL OF AGENDA

D. MINUTES of the meeting(s) of the Subdivision Committee

1. Meeting of April 25, 2017

E. RECEIPT OF ITEMS FOR THE RECORD (None)

F. HEARINGS AND PUBLIC COMMENT

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

G. GENERAL BUSINESS MATTERS (None)

H. UNFINISHED BUSINESS (None)

I. NEW BUSINESS (For Action)

1. Tentative Subdivision Map Approval

a. Subdivision Application No. S-2017-6
(**Moloaa Valley One, LLC**)

Proposed 7-lot subdivision

TMK: (4) 4-9-011:013

Moloaa, Kaua‘i

1. Subdivision Report pertaining to this matter.

I. NEW BUSINESS (For Action)

2. Final Subdivision Map Approval

- a. Subdivision Application No. S-2015-7
(Property Development Centers, LLC)

Proposed 11-lot subdivision

TMK: (4) 3-3-003:046

Lihue, Kaua'i

1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Suite A473, Lihue, Hawaii 96766. Telephone: (808) 241-4050.

Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

May 9, 2017

SHORELINE SETBACK DETERMINATIONS

| Application No. | Name of Applicant(s) | Property I.D. (Tax Map Key) | Location | Reasons |
|------------------------|-----------------------------|------------------------------------|-----------------|----------------------------------|
| SSD-2017-51 | Uplands Trust | 5-5-002:094 | Hanalei | New Garage and Guest House |
| SSD-2017-52 | Anininina | 5-8-008:040 | Haena | Revision to Interior Renovations |